

109TH CONGRESS
1ST SESSION

H. R. 18

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. BACA (for himself, Mrs. NAPOLITANO, Mr. CALVERT, and Mr. GARY G. MILLER of California) introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southern California
5 Groundwater Remediation Act”.

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act:

3 (1) GROUNDWATER REMEDIATION.—The term
4 “groundwater remediation” means actions that are
5 necessary to prevent, minimize, clean up, or mitigate
6 damage to groundwater.

7 (2) LOCAL WATER AUTHORITY.—The term
8 “local water authority” means a currently existing
9 (on the date of the enactment of this Act) public
10 water district, public water utility, public water plan-
11 ning agency, municipality, or Indian Tribe located
12 within the natural watershed of the Santa Ana River
13 in the State of California.

14 (3) REMEDIATION FUND.—The term “Remedi-
15 ation Fund” means the Southern California Ground-
16 water Remediation Fund established pursuant to
17 section 3(a).

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

20 **SEC. 3. SOUTHERN CALIFORNIA GROUNDWATER REMEDI-**
21 **ATION.**

22 (a) SOUTHERN CALIFORNIA GROUNDWATER REME-
23 DIATION.—

24 (1) ESTABLISHMENT OF REMEDIATION
25 FUND.—There shall be established within the Treas-
26 ury of the United States an interest bearing account

1 to be known as the “Southern California Ground-
2 water Remediation Fund”.

3 (2) ADMINISTRATION OF REMEDIATION
4 FUND.—The Remediation Fund shall be adminis-
5 tered by the Secretary, acting through the Bureau of
6 Reclamation. The Secretary shall administer the Re-
7 mediation Fund in cooperation with the local water
8 authority.

9 (3) PURPOSES OF REMEDIATION FUND.—

10 (A) IN GENERAL.—Subject to subpara-
11 graph (B), the amounts in the Remediation
12 Fund, including interest accrued, shall be used
13 by the Secretary to provide grants to the local
14 water authority to reimburse the local water au-
15 thority for the Federal share of the costs associ-
16 ated with designing and constructing ground-
17 water remediation projects to be administered
18 by the local water authority.

19 (B) COST-SHARING LIMITATION.—

20 (i) IN GENERAL.—The Secretary may
21 not obligate any funds appropriated to the
22 Remediation Fund in a fiscal year until
23 the Secretary has deposited into the Reme-
24 diation Fund an amount provided by non-
25 Federal interests sufficient to ensure that

1 at least 35 percent of any funds obligated
2 by the Secretary for a groundwater reme-
3 diation project are from funds provided to
4 the Secretary for that project by the non-
5 Federal interests.

6 (ii) NON-FEDERAL RESPONSIBILITY.—Each local water authority shall
7 be responsible for providing the non-Fed-
8 eral amount required by clause (i) for
9 projects under that local water authority.
10 The State of California, local government
11 agencies, and private entities may provide
12 all or any portion of the non-Federal
13 amount.
14

15 (iii) CREDITS TOWARD NON-FEDERAL
16 SHARE.—For purposes of clause (ii), the
17 Secretary shall credit the appropriate local
18 water authority with the value of all prior
19 expenditures by non-Federal interests
20 made after January 1, 2000, that are com-
21 patible with the purposes of this section,
22 including—

23 (I) all expenditures made by non-
24 Federal interests to design and con-
25 struct groundwater remediation

1 projects, including expenditures asso-
2 ciated with environmental analyses,
3 and public involvement activities that
4 were required to implement the
5 groundwater remediation projects in
6 compliance with applicable Federal
7 and State laws; and

8 (II) all expenditures made by
9 non-Federal interests to acquire lands,
10 easements, rights-of-way, relocations,
11 disposal areas, and water rights that
12 were required to implement a ground-
13 water remediation project.

14 (b) COMPLIANCE WITH APPLICABLE LAW.—In car-
15 rying out the activities described in this section, the Sec-
16 retary shall comply with any applicable Federal and State
17 laws.

18 (c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing
19 in this section shall be construed to affect other Federal
20 or State authorities that are being used or may be used
21 to facilitate remediation and protection of the groundwater
22 the natural watershed of the Santa Ana River in the State
23 of California. In carrying out the activities described in
24 this section, the Secretary shall integrate such activities
25 with ongoing Federal and State projects and activities.

1 None of the funds made available for such activities pursu-
2 ant to this section shall be counted against any Federal
3 authorization ceiling established for any previously author-
4 ized Federal projects or activities.

5 (d) FINANCIAL STATEMENTS AND AUDITS.—The
6 Secretary shall ensure that all funds obligated and dis-
7 bursed under this Act and expended by a local water au-
8 thority, are accounted for in accordance with generally ac-
9 cepted accounting principles and are subjected to regular
10 audits in accordance with applicable procedures, manuals,
11 and circulars of the Department of the Interior and the
12 Office of Management and Budget.

13 (e) AUTHORIZATION OF APPROPRIATIONS.— There is
14 authorized to be appropriated to the Remediation Fund
15 \$50,000,000. Such funds shall remain available until ex-
16 pended.

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